

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE: PORK ANTITRUST LITIGATION

This Document Relates To:

ALL ACTIONS BROUGHT BY
COMMERCIAL AND INSTITUTIONAL
INDIRECT PURCHASER PLAINTIFF
CLASS, CONSUMER INDIRECT
PURCHASER PLAINTIFF CLASS, AND
THE COMMONWEALTH OF PUERTO
RICO

Case No. 0:18-cv-01776-JRT-JFD

**[PROPOSED] ORDER GRATING
DEFENDANT SEABOARD
FOODS LLC'S UNOPPOSED
MOTION FOR LEAVE TO FILE
AMENDED ANSWERS TO
CIIPP, CIPP, AND PUERTO
RICO COMPLAINTS**

Defendant Seaboard Foods LLC's Unopposed Motion for Leave to Amend to File Amended Answers to CIIPP, CIPP, and Puerto Rico Complaints (the "Motion") came on for hearing before the undersigned. Based upon all the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. Defendant's Motion is **GRANTED**.
2. Defendant may add the following affirmative defense to its answers to the complaints of the Commercial and Institutional Indirect Purchaser Plaintiff Class, Consumer Indirect Purchaser Plaintiff Class, and the Commonwealth of Puerto Rico: "Plaintiff's [Plaintiffs'] claims are barred, in whole or in part, to the extent Plaintiff[s] seek[s] to impose liability on Seaboard based on the exercise of any person or entity's right to petition federal, state, and local legislative bodies,

because such conduct was immune under the *Noerr-Pennington* doctrine and privileged under the First Amendment to the U.S. Constitution.”

Dated: _____, 2023

Honorable John F. Docherty
United States Magistrate Judge